

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Services – Disciplinary proceedings against Sri.D.N.A.Basha, Commandant (Zone-II), SPF. – Charges held Proved – Penalty of Reduction in Time Scale by 2 (Two) Stages for 2 (two) years with cumulative effect under Rule 9 of A.P.C.S. Rules, 1991 - Orders – Issued.

HOME (SERVICES-III) DEPARTMENT

G.O.Ms.No. 78

Dated: 21/04/2014

Read the following:-

- 1) From the Director General, Special Protection Force, A.P., Secunderabad, letter No.A3/144/SPF/2011, dated 27.9.2011.
- 2) Government Memo No.29050/Ser.III/A3/2011, dated 28.11.2011
- 3) From Sri.D.N.A.Basha, Commandant (Zone-II), SPF. dt 27-12-2011.
- 4) GO.Rt No. 429, Home (Ser.III) Dept, dated 17-3-2012.
Govt.Memo.No.33482/Ser.I/A2/2011-2, dtd: 02.05.2013
- 5) From Sri Lingaraj Panigrahi, I.A.S., Commissioner of Inquiries D.O.Lr No.93/COI-LP/2012 dated 03-11-2012.
- 6) Government Memo.No.29050/Ser-III/A3/2011, dated:05.02.2013.
- 7) From Sri.D.N.A.Basha, Commandant (Zone-II), SPF. dt:14-3-13.
- 8) From the Secretary, APPSC, Hyd letter No.325/RT/1/2014, dt 24-3-2014

O-O-O

O R D E R:

In the letter 1st read above, the D.G. Special Protection Force while furnishing the Preliminary Enquiry Report and following article of charges and statement of imputations of misconduct in support of article of charges against Sri D.N.A.Basha, Commandant (Zone-II), SPF has recommended to conduct departmental enquiry into the allegations on the said officer.

Charge No.1:

"That the said Sri. D.N.A. Basha, Commandant (Zone-II), SPF, Hqrs., Secunderabad was permitted by the DG, SPF to visit SPF Unit, Vijayawada to surprise the guards on 10.09.2011. After checking the guards, he instructed the Sub-Inspector, Sri Vijay Kumar, SPF, Vijayawada to arrange accommodation for him at Sri Madapati Guest House of Sri Durga Malleshwara Swamy Devasthanam. He also asked the SI to arrange one full bottle of Peter Scot whisky and non-vegetarian dinner for three to four persons and one train ticket for Hyderabad in Machilipatnam Express. The SI incurred. 2000/- for arranging the train tickets and other food articles, but he was not repaid the said amount to the SI by him. When the SI deputed Sri Balaji Naik, CT-4347 as orderly to him, he abused the CT-4347 in un-parliamentary language without any reason and instructed him to leave the guest house premises. He has also instructed the SI not to bring any SPF personnel to the guest house premises.

Thus Sri D.N.A. Basha, Commandant (Zone-II), SPF by his above mentioned acts, has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and contravened Rule-3 Sub Rule (1) (2) (3) & (4) of APCS (conduct) Rules-1964."

Charge No.2:

"That the said Sri. D.N.A. Basha, Commandant (Zone-II), SPF, Hqrs., Secunderabad, while he was residing in Room No.101 of Sri Madapati Guest House on 10.09.2011 the Inspector, I Town P.S., Vijayawada surprised the guest house and found 2 ladies in his room along with him. On enquiry of the Inspector, he informed the Inspector that, the two ladies were his wife and sister respectively. He did not produce any authentic proof that the two ladies were his wife and sister. Also, the requisition for guest house accommodation made by SI, Sri Vijay Kumar, SPF, Vijayawada mentioned requirement of room for himself. Later, the two ladies left his room in the Guest House in odd hours i.e., 0250 hrs. on 11.09.2011, in an Auto. Further, he has neither applied nor taken permission from the HOD to take his family members to Vijayawada.

Cont...

Thus Sri D.N.A. Basha, Commandant (Zone-II), SPF by his above mentioned acts, has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and contravened Rule-3 Sub Rule (1) (2) (3) & (4) of APCS (conduct) Rules-1964."

Charge No.3:

"That the said Sri. D.N.A. Basha, Commandant (Zone-II), SPF, Hqrs., Secunderabad before occupying the guest house and after surprise visit of the Inspector, I Town PS., Vijayawada made and received several calls to the mobile number 9948961869 and 9494475888 from his official mobile. He has not revealed the owners of these mobile numbers during the enquiry.

Thus Sri D.N.A. Basha, Commandant (Zone-II), SPF by his above mentioned acts, has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and contravened Rule-3 Sub Rule (1) (2) (3) & (4) of APCS (conduct) Rules-1964."

Charge No.4:

"That the said Sri. D.N.A. Basha, Commandant (Zone-II), SPF, Hqrs., Secunderabad consumed alcohol and had non vegetarian food in the temple guest house premises which are prohibited as temple guest house rules. Being a superior officer in the rank of Commandant working in a disciplined armed force, by violating the guest house rules, has brought disrepute to the department.

Thus Sri D.N.A. Basha, Commandant (Zone-II), SPF by his above mentioned acts, has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and contravened Rule-3 Sub Rule (1) (2) (3) & (4) of APCS (conduct) Rules-1964."

2. In the Government Memo 2nd read above, a charge Memo under Rule 20 of APCS (CC&A) Rules, 1991, was served on Sri D.N.A. Basha, Commandant (Zone-II), Special Protection Force. He was directed to appear before the Prl. Secretary to Government, Home Department within 10 days of receipt of the above Memo and submit his written statement of defense, specifically admit or deny the article of charge and an inquiry will be held only in respect of the charges, which are not admitted.

3. In the representation 3rd read above, the charged officer has submitted his written explanation stating that the charges framed against him are flimsy, vexatious and baseless and he denied all the charges.

4. In the G.O. 4th read above, orders were issued appointing Sri Lingaraj Panigrahi, IAS, COI as Inquiring Authority and Sri Srinivasa Rao, Advocate as Presenting Officer to present the case before the Inquiring Authority.

5. In the D.O. Letter 5th read above, the Inquiring Authority has submitted a detailed report holding the charges as proved/not proved/ partly proved against Sri D.N.A. Basha, Commandant, SPF, as detailed below:

| | |
|-----------------------|--------------------------|
| Article of Charge 1 : | Partly Proved |
| Article of Charge 2 : | Not Proved |
| Article of Charge 3 : | Held Proved / Not Proved |
| Article of Charge 4 : | Held Proved |

6. The findings of the enquiry officer as far as charge No.3 is concerned are disagreed by the Government.

7. In the Memo 6th read above, a dissent note along with the report of the Enquiry Officer has been communicated to the charged officer with instructions to submit his reply on the findings of the enquiry officer as well as dissent note.

8. In the representation 7th read above, the charged officer has submitted his final explanation and requested to exonerate him from the charges for the reasons mentioned therein.

9. Government, after careful examination of the entire material on record and explanation submitted by the charged officer, have decided to impose a penalty of Reduction in Time Scale by (2) two stages for (2) two years with cumulative effect on Sri D.N.A. Basha, Commandant, SPF under Rule 9 of APCS (CC&A) Rules, 1991, for the charges held proved against him.

10. In the letter 8th read above, (copy enclosed) the Secretary, AP.P.S.C., Hyd has stated that the Commission agreed with the provisional decision of the Government.

11. Accordingly, Government hereby impose a penalty of Reduction in Time Scale by (2) two stages for (2) two years with cumulative effect on Sri D.N.A. Basha, Commandant, SPF under Rule 9 of APCS (CC&A) Rules, 1991 for the charges held proved against him.

12. The Director General, Special Protection Force, A.P., Secunderabad, is requested to take follow up action on implementation of the said penalty, immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

T.P.DAS
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General, Special Protection Force, A.P., Secunderabad
Sri D.N.A. Basha, Commandant, SPF, (through the Director General, Special Protection Force, A.P., Secunderabad
The Secretary, A.P.P.S.C., Hyderabad

Copy to:

The Accountant General of Andhra Pradesh, Hyderabad.
The Director of Treasuries & Accounts, A.P. Hyderabad.
SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER